

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DAVID CHAVEZ,

Plaintiff,

v.

DEPUTY DOUG HOLLENBECK and
MEGAN WHITMIRE,

Defendants.

NO: 13-CV-5125-RMP

ORDER DISMISSING COMPLAINT
WITHOUT PREJUDICE AND
DIRECTING THAT COLLECTION
OF THE FILING FEE CEASE

BEFORE THE COURT is Plaintiff David Chavez's Motion to Voluntarily Dismiss Complaint pursuant to Fed. R. Civ. P. 41(a). Defendants have not been served in this action. Accordingly, **IT IS ORDERED** Plaintiff's Motion, ECF No. 12, is **GRANTED** and the Complaint is **DISMISSED WITHOUT PREJUDICE**.

Plaintiff also filed two documents which are liberally construed as a Motion and Affidavit to waive collection of the remaining balance of the filing fee in this action. For good cause shown, **IT IS ORDERED** Plaintiff's Motion, ECF No. 13, is **GRANTED** and the institution having custody of Mr. Chavez shall cease collection of the filing fee in this action, cause number **13-CV-5125-RMP**.

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IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment of dismissal without prejudice, forward a copy to Plaintiff and close the file. The District Court Executive is further directed to send a copy of this Order to the **Benton County Jail, Attn: Jail Office Supervisor, 7122 Okanogan Bldg B, Kennewick, WA 99336**, to forward to the appropriate agency having custody of Plaintiff. The District Court Executive also **shall** provide a copy of this Order to the Financial Administrator for the United States District Court, Eastern District of Washington.

DATED this 23rd day of December 2013.

s/ Rosanna Malouf Peterson
ROSANNA MALOUF PETERSON
Chief United States District Court Judge